

**CLAIMS:**

The claims are not amended in the response herein, but listed below for the convenience of the Examiner.

1. (Previously Presented) An apparatus, comprising:
  - a controller; and
  - a memory,the controller, in conjunction with the memory, configured to cause the apparatus to perform actions as follows:
  - alert a user to an incoming call by playing a musical audible alert;
  - in response to the user input being activated to answer the incoming call, cause an audio output section to terminate the a musical audible alert while the musical audible alert is being played in response to user input by playing a replacement musical sequence-as a conclusion of the musical audible alert.
2. (Cancelled).
3. (Previously Presented) The apparatus as claimed in claim 1, wherein the audio output section comprises a synthesizer.
4. (Previously Presented) The apparatus as claimed in claim 3, wherein the synthesizer processes a data stream representative of the musical audible alert in real time.
5. (Previously Presented) The apparatus as claimed in claim 4, wherein the audio output section is arranged to vary the data stream in real time to introduce the replacement musical sequence.
6. (Previously Presented) The apparatus as claimed in claim 3, wherein the synthesizer is polyphonic.

configured to store a file for producing the musical audible alert.

8. (Previously Presented) The apparatus as claimed in claim 7, wherein the file comprises a series of conditional branch markers, each marker indicating a time for a conditional branch to a replacement musical sequence.

9. (Previously Presented) The apparatus as claimed in claim 1 further comprising a radio transceiver configured to download data representing the replacement musical sequence.

10. (Previously Presented) The apparatus as claimed in claim 1, wherein the replacement musical sequence is of limited duration.

11. (Previously Presented) The apparatus as claimed in claim 1, wherein the replacement musical sequence is pre-determined.

12. (Previously Presented) The apparatus as claimed in claim 11, wherein the replacement musical sequence is stored in a musical instrument digital interface track of a musical instrument digital interface file.

13. (Previously Presented) The apparatus as claimed in claim 1 wherein the audio output section is configured to terminate the musical audible alert by introducing and playing any one of a plurality of pre-determined replacement musical sequences.

14. (Previously Presented) The apparatus as claimed in claim 13, wherein each individual one of the plurality of pre-determined replacement musical sequences is associated with a particular portion of the musical audible alert.

15. (Previously Presented) The apparatus as claimed in claim 1, wherein the replacement musical sequence is automatically generated.

16. (Previously Presented) The apparatus as claimed in claim 15, wherein the generated

replacement musical sequence is dependent upon information characterizing the musical qualities of the musical audible alert.

17. (Previously Presented) The apparatus as claimed in claim 1, wherein the replacement musical sequence varies any one or more of: the arrangement of the musical audible alert; the music of the musical audible alert; the tempo of the musical audible alert; and the volume of the musical audible alert.

18. (Previously Presented) The apparatus as claimed in claim 1, wherein the replacement musical sequence when played fades out the musical audible alert while it is being played.

19. (Previously Presented) The apparatus as claimed in claim 1 operable as a mobile telephone.

20. (Previously Presented) A mobile telephone, comprising:

an audio output section configured to alert a user to an incoming call by playing a musical audible alert;

a user input configured to cause an incoming call to be answered; and  
a controller, responsive to the user input being activated to answer an incoming call, to control the audio output section to terminate the musical audible alert while the musical audible alert is being played by playing a replacement musical sequence, where the replacement musical sequence is played as a conclusion to the musical audible alert.

21. (Previously Presented) The mobile telephone as claimed in claim 20, further comprising a radio transceiver wherein the controller, responsive to the user input, controls the radio transceiver, after a delay, to accept the incoming telephone call, the controller being configured to terminate the musical audible alert and begin playing the replacement musical sequence if the user input has not been activated and the musical audible alert has played beyond a predetermined threshold duration, the controller being configured to terminate the musical audible alert and begin playing the replacement musical sequence if the user input has been activated.

22. (Previously Presented) A memory embodying a data file comprising a replacement musical sequence to be played to terminate an electronic device musical audible alert while the musical audible alert is being played, the replacement musical sequence being played in response to a user input for answering an incoming call where the replacement musical sequence is played as a conclusion to the musical audible alert.
23. (Previously Presented) The memory embodying a data file as claimed in claim 22 , the data file further comprising additional replacement musical sequences, wherein if a user input has not been activated, then if the musical audible alert has played beyond a predetermined threshold duration, the musical audible alert is terminated, wherein, if the user input has been activated, the musical audible alert is terminated.
24. (Previously Presented) The memory embodying a data file as claimed in claim 22, the data file further comprising the musical audible alert for the electronic device.
25. (Previously Presented) The memory embodying a data file as claimed in claim 24, the data file further comprising a plurality of conditional branching markers each of which is associated with a replacement musical sequence.
26. (Previously Presented) A memory embodying a musical data file, configured to produce a musical audible alert in an electronic device, the musical data file comprising a plurality of conditional branching markers each of which is associated with a replacement musical sequence to be played to terminate the musical audible alert while it is being played by playing the replacement musical sequence as a conclusion to the musical audible alert beginning at that time position of the conditional branching marker within the musical data file only when a condition associated with the conditional branching marker has been fulfilled.
27. (Cancelled)

28. (Previously Presented) An apparatus, comprising:

a controller; and  
a memory configured to store a plurality of replacement musical sequences,  
the controller, in conjunction with the memory, configured to cause the apparatus to  
perform actions as follows:

detect answering of the incoming call; and  
in response to the incoming call being answered, terminate a musical audible alert for  
the incoming call while the musical audible alert is being played at the apparatus by playing a  
replacement musical sequence from the plurality of replacement musical sequences as a  
conclusion of the musical audible alert, the replacement musical sequence being  
downloadable from a server to the apparatus via a communication network.

29. (Canceled).

30. (Previously Presented) A method, comprising:

determining a call is incoming;  
playing by a controller an musical audible alert and setting a timer when the incoming  
call is determined,  
determining if the incoming call has been answered;  
if it is determined that the incoming call has not been answered, then determining if  
the timer has timed out;  
if it is determined the timer has timed out or if it is determined that the call has been  
answered,  
then playing a replacement musical sequence as a conclusion of the musical audible  
alert, thereby terminating the playing of the musical audible alert.

31. (Previously Presented) A method, comprising:

detecting by a transceiver that a mobile telephone has an incoming call;  
starting playing by a controller of a musical audible alert;  
checking for by the controller a user input generated for answering the call; and  
in response to detecting the user input for answering the call, terminating by the

S.N.: 10/542,262

Art Unit: 2618; Confirmation No.: 3463

controller the playing of the musical audible alert by playing a replacement musical sequence as a conclusion of the musical audible alert.

32. - 33. (Cancelled)

34. (Previously Presented) The apparatus as claimed in claim 1, wherein, if a user input has not been activated, then if the musical audible alert has played beyond a predetermined threshold duration, the musical audible alert is terminated, wherein, if the user input has been activated, the musical audible alert is terminated.